

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

CLERK'S OFFICE
DISTRICT COURT
INDIANAPOLIS DIVISION

2012 SEP -4 PM 12: 14

Amen: of The Family Osiris
Plaintiff

vs.

THE CITY OF INDIANAPOLIS
THE INDIANAPOLIS METROPOLITAN
POLICE DEPARTMENT
MICHAEL CONDON
MATHEW STEVENSON
Defendant(s)

SOUTHERN DISTRICT
OF INDIANA
LAURA A. BRIGGS
CLERK

**Response to Entry Directing
Further Proceedings**

NO. 1:12-cv-904-JMS-DKL

Amen: osiris

NOTICE TO PRINCIPAL IS NOTICE TO AGENT
NOTICE TO AGENT IS NOTICE TO PRINCIPAL

Now comes Amen of The Family Osiris with a Prima Faci Plausible Claim specifically naming above mentioned defendants for claim of relief for violation of my God given, unalienable and private rights and flagrant violations of the constitution and federal and state laws.

A. The Municipal Corporation known as the City of Indianapolis is hereupon named as an intended defendant in this action and my plausible claim for relief against said is herein claimed. The Municipal Corporation known as the City of Indianapolis, a Mutual Benefit Corporation, and quasi governmental agency is clearly and unequivocally under the doctrine of RESPONDEATE SUPERIOR and VICARIOUS LIABILITY for its private security force known as IMPD. The Corporate City knowingly allows the outsourcing of said security force through private contracts/agreements, to provide police duties for private entities, with fully armed and uniformed IMPD officers, bestowing upon said officers unconstitutional and repugnant police powers while engaged in off duty private employment for the purpose of profit under the color of law in code and ordinance violations, arrestee processing, court cost, fines, and incarceration see; Sapp v. Tallahassee 348, S.O. 2nd, 368, and provides city property to accomplish its will in accordance with CITY-COUNTY GENERAL ORDINANCE NO. 55 Sec. 293-213, Use of city or county property; An official, appointee, or employee shall not use city or county property or personnel for any purpose other than for official city or county business; The Corporate City is not a sovereign but is a devolved public

entity, and for purpose of suit said corporation and individuals are regarded as an entity entirely separate from government see [Clearfield Trust v. US 318 US 363 (1943)] and in so doing did also commit the follow violations of my God given natural private and constitutional rights, the Law, State and Federal and is now liable for relief; see Jones v. Counce 7-F 3d-13598th (Cir) (1993) (1) Sec 1 and Sec. 11 of the Indiana State Constitution (2) the 4th 5th and 11th amendment of the U.S. Constitution (3) IC 35-44-2-1 Perjury (4) IC 35-44-2-3 Impersonation of a public servant (5) IC 35-44-2-2 False reporting or informing (6) IC 35-42-3-3 Criminal confinement(7) 18 U.S.C. Ch. 43 Sec. §912 False Personation (8) 18 U.S.C. § 241: Conspiracy Against Rights (9) 18 U.S.C. §242 Deprivation of Rights Under Color of Law (10) 18 U.S.C. § 913 - IMPERSONATOR MAKING ARREST OR SEARCH (11) 42 U.S.C. §1983 Violation of the 13th Amendment U.S. Constitution involuntary servitude(12) 42 U.S.C. §1981 Equal Protection Under Law (13) 18 U.S.C. §1581 Enticement into Slavery (14) IC 35-42-2-1 Battery (15) IC 35-42-2-3 Provocation (16) IC 35-41-5-2 Conspiracy (17) IC 24-9-3-8 Intimidation (18) IC 35-32-2-4 Aiding and Abetting (19) IC 35-44-2-3 Impersonation of a public servant (20) IC 35-44-2-1 Perjury (21) Disclosure of Social Security Number Act. December 1974, P.L. 9 93-579, section 7, 88 Statute 1909 (22) IC 35-44-2-2 False Reporting or Informing (23) IC 35-42-3-3 Criminal Confinement (25) IC 35-45-2-1 Intimidation (26) TITLE II - PUBLIC ORDER AND SAFETY Chapter 401 - OFFENSES AGAINST GOVERNMENTAL AUTHORITY ARTICLE I. - IN GENERAL Sec. 401-101. - False reports of crime (27) TITLE II - PUBLIC ORDER AND SAFETY Chapter 401 - OFFENSES AGAINST GOVERNMENTAL AUTHORITY ARTICLE I. - IN GENERAL Sec. 401-104. - Unlawful use of police radio messages (25) 21 C.F.R. 21.21 [c] implementation of numbers of other agencies(27) Malicious Prosecution (28) False imprisonment (29) Intentional Infliction of Emotional Stress All of which are contrary to the Laws of the STATE of Indianapolis, its State Constitution, the United States Constitution and the Common Law

B. In an act of collusion the Indianapolis Metropolitan Police Department (IMPD) a quasi governmental agency is clearly and unequivocally hereupon named as an intended defendant in this action and my plausible claim for relief against said is herein claimed. (IMPD) knowingly allows the outsourcing of said officers through private contracts and/or agreements to provide police duties to private entities with fully armed and uniformed IMPD officers/ employees, and bestowing upon them unconstitutional and repugnant police powers for engaging in off duty private employment for the purpose of profit under color of law in code and ordinance violations, arrestee processing, court cost, fines, and incarceration in accordance of the will of the City see; Sapp v. Tallahassee 348] IMPD did also commit the following violations of my rights and the law (1)42 U.S.C. §14141 Cause of Action (2) 42 U.S.C. §1986 Action for Neglect to Prevent (3) The legal doctrine Respondeat Superior(4) The legal doctrine of Vicariously Liability in that employers' are vicariously liable for negligent acts or omissions by their employees in the course of employment (5)in accordance with City County General Ordinance No. 55 Sec. 293-213 Use of City or County Property (6) IC 35-44-2-1 Perjury(7) IC 35-44-2-3 Impersonation of a public servant(8) IC 35-44-2-2 False reporting or informing (9) IC 35-42-3-3 Criminal confinement (10) 18 U.S.C. Ch. 43 Sec. §912 False Personation (11) 18 U.S.C. § 241 Conspiracy Against Rights (12) 18 U.S.C. §242 Deprivation of Rights Under Color of Law(13)18 USC § 913 - IMPERSONATOR MAKING ARREST OR SEARCH(14) 42 U.S.C. §1983(15) Violation of the 13th Amendment involuntary servitude(16) 42 U.S.C. §1981 Equal Protection Under Law(17)18 U.S.C. §1581 Enticement into Slavery(18) IC 35-42-2-1 Battery(19) IC 35-42-2-3 Provocation (20) IC 35-41-5-2 Conspiracy(21) IC 24-9-3-8 Intimidation (22) IC 35-32-2-4 Aiding and Abetting (23) IC 35-44-2-3 Impersonation of a public servant(4) IC 35-44-2-1 Perjury(25) Disclosure of Social Security Number Act. December 1974, P.L. 9 93-579, section 7, 88 Statute, (1909)(26) IC 35-44-2-2 False Reporting or Informing(27) IC 35-42-3-3 Criminal Confinement(28) IC 35-45-2-1 Intimidation (29) TITLE II - PUBLIC ORDER AND SAFETY Chapter 401 - OFFENSES AGAINST GOVERNMENTAL AUTHORITY ARTICLE I. - IN GENERAL Sec. 401-101. - False reports of crime (30) TITLE II - PUBLIC ORDER AND SAFETY Chapter 401 - OFFENSES AGAINST GOVERNMENTAL AUTHORITY ARTICLE I. - IN GENERAL Sec. 401-104. - Unlawful use of police radio messages(31) 21 C.F.R. 21.21 [c] implementation of numbers of other agencies (32) Malicious Prosecution(33) Excessive Force(34) Contradiction of Mission Statement (see attached). All of which are contrary to the Laws of the STATE of Indianapolis, its State Constitution, the United States Constitution and the Common Law

Furthermore, I am stating my claim in pursuance of title 42 U.S.C. § 1983 that the defendant(s) (1)The City of Indianapolis (2) The Indianapolis Metropolitan Police Department(3)Mathew Stevenson (4) Michael Condon did in fact under the act of comity and conspiracy, admit to knowingly and intentionally under penalty of perjury that the arrest of Amen of the Family Osiris was made under color of law, without constitutional authority, lawful jurisdiction, probable cause, reasonable suspicion or good faith that a crime was in fact committed in accordance with IC 35-33-1 and or IC 34-28-5-3.5-1, see (affidavit of probable cause) while engaged in private contractual obligations with the private entity known as (IHA) Beachwood Gardens, which is in fact a (federal enclave) located within the City of Indianapolis giving The United States District court absolute jurisdiction. Said defendants did also knowingly and intentionally by provocation did cause Amen of the Family Osiris to be unlawfully stopped, assaulted, threatened, handcuffed, and arrested, see *Osborn v. Veitch* 1 Foster & Fin Eng Rep 317, incarcerated, fingerprinted and photographed see *Hawkins v. Kuhne*, 137 NY Supp 1090, 153 App Div 216 (1912)., intentionally inflicting emotional distress, financial hardship, duress, and fear through an act of aggressive intimidation and aggravated assault. Furthermore, said defendants admitted on the witness stand under oath that the probable cause for the arrest was resisting arrest and failed to show probable cause or valid cause of action for a lawful arrest, see (*Columbus v. Holmes*, 152 N.E.2d 306 (1958) and stated no crime had been witnessed or reported or committed, see *Mckenzie v. Lamb*, 738 F. 2d. 1005, 1007 (the Cir. 1984). Furthermore by omission of defendants said encounter was initiated by arrestees in a consensual manner in which I did not consent to and I was purposely singled out for lack of consent and unlawfully arrested and criminally confined. In closing you will find by the omission of said defendants that Amen of the Family Osiris simply exited the passenger side of a vehicle, engaged in a conversation and attempted to enter into a humble abode to relax and for that he was deprived of his right to freedom, freedom of movement, beaten, handcuffed, jailed, photographed, finger printed and publically humiliated and embarrassed on his very first visit to the Country if Indiana and relief for said constitutional violations is hereby demanded in accordance with the organic Law of the Land. All of which are contrary to the constitution and Laws of the STATE if INDIANA , and the United States Constitution.

Respectfully Submitted

Amen of the Family Osiris

Amen : Osiris

By Nature, Free and Independent

Propria Persona @Law